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8 | Attorneys for Plaintiff Sony Corporation

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

13 SONY CORPORATION, A Japanese corporation,

Plaintiff,

15

VIZIO INC., A California corporation,

Defendant

CASE NO. CV-01135-AHS-AN

**DECLARATION OF RORY S. MILLER IN
SUPPORT OF SONY'S AMENDED NOTICE
OF MOTION AND AMENDED MOTION
FOR RECONSIDERATION OF TRANSFER
ORDER**

[Concerns Order by the Honorable R. Gary Klausner Declining Intra-District Transfer]

Judge: Hon. R. Gary Klausner
Hearing Date and Time: January 5, 2009, 10:00 a.m.

1 1. I am a member of the bar of the State of California, of this Court, and
2 an associate of Quinn Emanuel Urquhart Oliver & Hedges, LLP, counsel for Sony
3 Corporation (“Sony”). I submit this declaration in support of Sony’s Amended
4 Motion for Reconsideration of Transfer Order. I have personal knowledge of the
5 facts stated in this declaration, and if called upon to do so, could and would
6 competently testify thereto.

7 2. Sony Corporation (“Sony”) and Vizio Inc. (“Vizio”) met and conferred
8 regarding Sony’s Motion for Reconsideration of Transfer Order on November 13,
9 2008.

10 3. Attached hereto as Exhibit A is a true and correct copy (without
11 exhibits) of Sony’s Complaint for Patent Infringement against Westinghouse Digital
12 Electronics, LLC (“Westinghouse”), dated June 16, 2008.

13 4. Attached hereto as Exhibit B is a true and correct copy of Sony and
14 Westinghouse’s Joint Stipulation for the Filing of Sony Corporation’s First
15 Amended Complaint.

16 5. Attached hereto as Exhibit C is a true and correct copy (without
17 exhibits) of Sony’s First Amended Complaint for Patent Infringement against
18 Westinghouse, dated September 12, 2008.

19 6. Attached hereto as Exhibit D is a true and correct copy (without
20 exhibits) of Sony’s Complaint for Patent Infringement against Vizio, dated October
21 10, 2008.

22 7. Attached hereto as Exhibit E is a true and correct copy of the Notice of
23 Related Case filed with the Vizio Complaint, dated October 10, 2008.

24 8. Attached hereto as Exhibit F is a true and correct copy of the Civil
25 Cover Sheet filed with the Vizio Complaint, dated October 10, 2008.

26 9. Attached hereto as Exhibit G is a true and correct copy of the
27 Complaint in *VIZIO, Inc. v. Sony Corporation et al.*, D.N.J. Case No. 08-5029,
28 dated October 10, 2008.

1 10. Attached hereto as Exhibit H is a true and correct copy of Judge
2 Klausner's Order declining transfer of the Vizio action, dated October 24, 2008.

3 11. Attached hereto as Exhibit I is a true and correct copy (without
4 exhibits) of Sony's First Amended Complaint for Patent Infringement Against
5 Vizio, dated November 14, 2008.

6 12. Attached hereto as Exhibit J is a true and correct copy of a letter dated
7 November 17, 2008 from Kevin P.B. Johnson to James L. Wamsley, counsel for
8 Vizio, enclosing a covenant not to sue on United States Patent Nos. 5,285,285;
9 5,212,554; 5,168,362; and 5,539,425.

10
11 DATED: December 15, 2008

12 By 
13 Rory S. Miller